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WELL DEVELOPMENTS

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No. 14 Board of Water Well Contractors October 1993

BOARD MEMBERS

Wes Lindsay, Chairman/Industry Member
Ron Guse, Vice Chairman/DNRC Member
John Arrigo, DHES Member
Bob Bergantino, MBMG Member
Pat Byrne, Industry Member
Bob Rudio, Program Manager

RULES CHANGES

On September 17, 1993, the Board of Water Well Contractors (Board) held its 128th Regular Session at DNRC offices in Helena. It is the first session since 1987 that the Board agreed to entertain proposed rule changes for well construction standards. The Board heard discussions from members and industry representatives regarding changes to clarify or amend rules that:

1. are difficult to interpret or accomplish, or are not practical under certain conditions
2. do not provide time limits
3. are not specific in directing distances or time frames
4. do not specifically protect the water source under some conditions
5. have conflicting definitions, and
6. need an update to clarify monitoring well construction methods.

The Board has asked the Department of Health and Evnironmental Sciences (DHES), Department of Natural Resources and Conservation (DNRC), Montana Bureau of Mines and Geology (MBMG), and Montana Water Well Drillers Association (MWWDA) to provide initial input and reasoning for the Board's consideration. It is expected that any rules changes will take about 9 to 12 months.

1993 LEGISLATION

Board-sponsored legislation was enacted in 1993 to allow show-cause hearings to be heard before the Board to resolve complaints. The law also clarifies disciplinary authority of the Board. The new legislation accomplishes the following:

1. Specifically authorizes the Board to order the repair of faulty wells.
2. Authorizes the Board to discipline for failure to comply with Board rules.
3. Removes the requirements of formal process under Montana Administrative Procedure (MAPA) prior to implementing discipline and allows show-cause hearings.
4. Specifies that after license revocation, re-licensure is not possible for three years.
5. Specifies that discipline is available if qualifications or licensure are not maintained.

BOARD MEMBERS

Back row left to right: John Arrigo - DHES member, Bob Bergantino - MBMG member, Pat Byrne - Industry member.

Front row left to right: Bob Rudio - Program Manager, Wes Lindsay - Chairman/Industry member, Ron Guse - Vice Chairman/DNRC member.

NEWS-NOTES

The statewide budget crunch has hit the Board, resulting in about 25 percent cuts in funding for operating expenses. This means there will be fewer newsletters, elimination of some mailings, and reduction of some administrative services. The Board has only one employee, but has administrative help from the DNRC central office and regional DNRC Offices. Voice mail is being relied on more heavily to balance the travel time and office time. This may result in some difficulty

contacting the Board's Program Manager. However, messages are picked up daily and calls returned promptly.

The Board does not plan any increase in fees, and will continue the existing fee structure for applications and renewals

GROUTING PROCEDURES

The Board is asking all contractors, drillers, and monitoring licensees to send in suggested rule changes for the grouting procedures (general sealing of casing rule 36.21.654 through 660) to the Board. Suggestions should be brief and explain why a specific procedure is not practical for a specific case and how the rule could be changed. The Board will review all proposals over the next four months. The Board also will consider suggestions for any other specific rule changes or clarification.

DNRC REGIONAL OFFICE STAFF TRAINING

DNRC's Regional Offices currently are participating in a program of continuing education similar to the continuing education required for licensees. Staff persons are viewing video tapes on cable tool and rotary-air and mud techniques, to be followed by classes pertaining to the Board's rules.

QUALIFICATION FOR LICENSURE

There is much similarity in the requirements for the different licenses. The three licenses, Contractor, Driller and Constructor, basically require:

1. one year apprenticeship under a Montana licensed person or
2. reciprocity from another state or
3. equivalent experience, education or both.

Applicants for the contractors and drillers licenses generally find that the Board views their equivalent ex perience with skepticism and rarely grants qualification for equivalent experience. The Board would rather err on the side of "Not Qualified" than have a licensed water well contractor or driller unable or unwilling to comply with the rules.

The Board also looks favorably on a driller's application when he is currently employed and recommended by a licensed contractor, though the Board rarely waives the one-year apprenticeship requirement.

CONTINUING EDUCATION

The Board reminds all licensees that during the current fiscal year; July 1, 1993, to June 30, 1994, at least four hours of continuing education are required for re-licensure. Attendance at the national convention in Kansas City or the MWWDA Convention to be held in Butte is acceptable for the four-hour credit. Other Board-sponsored C.E. classes will be scheduled, most of them in March or April next year.

2M Company has scheduled a school in Billings for January 13 and 14, 1994. Further information is available from Bill Mills, 2M Company by phoning (406) 245-3008.

NEW LICENSEES

The Board welcomes the following persons who passed the exams over the past year.

1. Water well contractors/monitoring:

Ed Fleming - Bozeman
Paul Steinmetz (relicense)
Steve Hansen- Glasgow
Todd Valnes - North Dakota
Jerry Gakin - California
Bryon Werner - Utah
Lee Turner -Washington
William Callison - California
Mark Adair - Plentywood
Steve Chambers - Columbia Falls

2. Monitoring well constructors

Dave Margolin - Helena
Jim Jozovich - Butte
K.D. Feeback - Lincoln
Kevin Evinck - North Dakota
Richard Eaton - Hinsdale
Bret Baumann - Helena

3. Water well drillers

James Lausch - East Helena
Cliff Tudor - Bozeman
Randy Heiraas - North Dakota
Scott Krug - Salt Lake
Bret Taylor - Salt Lake
Walter Bailey - Kalispell

FLOWING WELLS

This topic has been covered in past issues of Well Developments but continues to be a concern. Special sealing standards for artesian wells (ARM 36.21.658, page 29 of the June 1991 rule book) specifically address this problem.

As you read this rule, please note that although the rule does not specifically say what materials you can use to grout an artesian well, it does require sealing to prevent the movement of water outside of the casing. The method to use has been left to the licensee's discretion. The grouting material that will be used, however, does need to meet standards outlined in ARM 36.21.634 (33). According to subsection (3) of ARM 36.21.658, the well is to be completed with "seals, packers, and neat cement grout that will eliminate leakage around the well casing."

When the well flows at the surface, the well must be equipped with a control valve that can completely stop the flow. The well is not properly grouted if water flows up around or near the casing when the control valve is shut.

The licensee, according to ARM 36.21.658(4), shall not remove his drilling rig from the site without approval from the Board of Water Well Contractors for temporary

removal until the flow has been controlled and until any leakage has been stopped.

If you have any questions about this rule, please contact the Board's office in Helena at (406)444-6643.

TOP TERMINAL HEIGHTS

Rule 36.21.647 requires 18 inches of casing extension above the local surface runoff level. Contractors are reminded that the casing of any water well shall extend not less than 3 feet above the regional flood level of record. In floodplain areas this level is mapped and available from the local County Floodplain Administration.

NEW REGIONAL OFFICE MANAGER IN MISSOULA

Curt Martin has been named the new Missoula Regional Office Manager for the Water Resources Division of DNRC. Curt brings to the Missoula office much experience with DNRC in water resource management and water-policy planning. The Missoula Regional Office encompasses Granite, Mineral, Missoula, and Ravalli counties.

HISTORICAL BOARD MEETINGS

Historical Board Meeting:

The 15th meeting of the Water Well Contractor's Examining Board was held on Friday, February 14, 1964, at 10:00 a.m. in Room 124 of the State Capitol Building. The meeting was called to order by C. W. Brinck. Others present were Everett Darlington, Bert Van Dyken and Carl Hollensteiner, Secretary of the Water Well Association.

Mr. Brinck reviewed the correspondence with Mr. Russell Chrest of Glendive regarding his complaint against RHR Drilling of Richey, Montana. Because of the situation, Mr. Brinck wrote a letter to be sent out to all licensed water well contractors in the state informing them how and where to file a complaint.

Mr. Brinck reported to the Board that the Misamore case was now closed as Mr. Misamore had complied with all the laws and the Misamore Drilling Company had been issued a license.

The Board asked Mr. Hollensteiner if he would ask the Water Well Association if they would work with the Board in regards to new legislation and changes to be made in the existing laws.

Mr. Van Dyken made a motion the meeting adjourn. Meeting adjourned 11:50 a.m., February 14, 1964, Mary Louise Date, Secretary.

WELL LOG REPORT

Well logs are the legal record of the licensee's work. Each section of the log must have an entry even if the entry is N/A (not applicable). DNRC needs the correct legal description to quarter quarter of the Section, Township and Range, ie., within 40 acres.* Most licensees keep USGS topographic maps of their area and figure the location. Those that rely on the well owner to provide the location often get a street address or subdivision name. DNRC and MBMG cannot use this type of location information. The correct legal description is needed or the log will be returned for correction.

Each DNRC Regional Office needs the well log report to process the owner's water right application. MBMG needs it to maintain the statewide well data base. The Board has asked DNRC to review the logs with particular attention to the following entries:

1) Is the well location completed to ¼, ¼ Section, Township, and Range?
2) Does every line on the form (1-14) have an entry?
3) Is the static water level entered?
4) Are the perforations below the static water level?
5) Was the well pumped or bailed for 1 hour?
6) Is the hole cased to the bottom and properly grouted to at least 18 feet?
7) Is the log signed by the licensee?

* DNRC has changed this requirement from ¼, ¼, ¼ of Sec, 10 acres, to ¼,¼ of Sec, 40 acres, as of November, 1993.

CLOSURE OF THE MILES CITY REGIONAL OFFICE

In order to re-structure the water-rights workload in the nine Water Resources regional offices, the Miles City office will be closed and appropriations work will be handled by the Billings regional office personnel.

CONVENTION

The Montana Water Well Drillers Association has scheduled its annual convention in Butte this year. Convention headquarters will be at the Copper King Inn on Harrison Avenue. Convention dates are February 2 thru 4, 1994. Further information is available from Vickie Lautt at (406)665-3304.

For further information
on any of the material
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